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Attorneys for Defendant  
XTO Energy Inc.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
BILLINGS DIVISION**

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MARY L. DEVERA, as Personal	)	CV 18-59-BLG-TJC
Representative of the Estate of Trent	)	
Vigus, deceased,	)	
	)	<b>DEFENDANT XTO ENERGY</b>
Plaintiff,	)	<b>INC.'S MOTION FOR SUMMARY</b>
	)	<b>JUDGMENT</b>
vs.	)	
	)	
EXXON MOBIL CORPORATION	)	
and XTO ENERGY, INC.,	)	
	)	
Defendants.	)	

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Defendant XTO Energy Inc. (“XTO”), by and through its counsel of record, Holland & Hart LLP, pursuant to Fed. R. Civ. P. 56, moves the Court for entry of summary judgment on Plaintiff Mary DeVera’s complaint. Summary judgment is

proper because there is no genuine issue as to any material fact and XTO is entitled to judgment on its seventh affirmative defense (statute of limitations).

This motion is supported by a brief filed concurrently herewith. Pursuant to Local Rule 7.1, counsel for Defendant XTO has contacted counsel for Plaintiff Mary DeVera, who opposes this motion.

Dated this 31st day of August, 2018.

/s/ W. Scott Mitchell

Holland & Hart LLP

**ATTORNEYS FOR DEFENDANT XTO  
ENERGY INC.**

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